

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES P. PRIDE

PLAINTIFF

v.

CIVIL ACTION NO. 1:22-cv-220-TBM-BWR

**JANET MEAUT, Director Woolmarket Prime of
Life Senior Center; EINICE HOLLINGSWORTH,
Director of Harrison County Senior Centers; EVAN
HUBBARD, Warden Harrison County Adult
Detention Center; TROY J. PETERSON, Sheriff
Harrison County; and HERMAN COX, Prosecutor**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on submission of the Report and Recommendation [22] entered by United States Magistrate Judge Bradley W. Rath on February 6, 2023. Judge Rath recommends dismissing Defendants Enice Hollingsworth and Janet Meaut for failure to timely serve process.¹ Judge Rath also recommends dismissal of Defendants Enice Hollingsworth and Janet Meaut due to Pride's failure to comply with a prior Court Order [16]. Pride has not filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) advisory committee's note to 1983 addition (citations omitted); see *Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) ("When a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjection-to proposed findings and conclusions which the district court accepted, except for

¹ Pride filed his Complaint [1] on August 25, 2022, and as of the date of this Order, more than nine months have passed without process being served on Defendants Enice Hollingsworth and Janet Meaut.

plain error") (citing *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc); 28 U.S.C. § 636(b)(1)). Having considered Judge Rath's Report and Recommendation, the Court finds neither is clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [22] entered by United States Magistrate Judge Bradley W. Rath on February 6, 2023, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that Pride's claims against Defendants Enice Hollingsworth and Janet Meaut are DISMISSED WITHOUT PREJUDICE for failure to timely serve process, and for failure to comply with a prior Order.

THIS, the 22nd day of June, 2023.



TAYLOR B. McNEIL
UNITED STATES DISTRICT JUDGE